

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PENNZOIL QUAKER STATE COMPANY,

Plaintiff,

v.

Case No. 09-13766

BLC REAL ESTATE, L.L.C., et al.,

Defendants.

**ORDER SUSPENDING FORMAL DISCOVERY AND SCHEDULING
SETTLEMENT CONFERENCE**

On April 15, 2010, the court conducted a status conference in the above-captioned case with counsel for Plaintiff and Defendants. During the conference, counsel for the parties indicated that a court-conducted settlement conference might allow the parties to settle. The parties also indicated that, given the possibility of a settlement, a stay of formal discovery would prevent the parties from expending unnecessary resources. Accordingly, the court will schedule a settlement conference at 2:00 p.m. on April 26, 2010, with counsel for the parties and party representatives with decision-making authority. The court will also stay formal discovery.¹

¹ During the conference defense counsel indicated that he required some discovery to allow Defendants to conduct informed negotiations. The stay of formal discovery in no way prohibits the parties from engaging in informal discovery exchanges. Defense counsel specifically requested applicable contracts and distributor agreements controlling the use of signs with Plaintiff's trademarks. Plaintiff readily agreed to provide the relevant distributor agreement. The court leaves it to counsel to determine how other important and easily provided discovery materials will be informally exchanged between now and the mediation.

Counsel also indicated that there is an unresolved issue concerning the extent of insurance coverage with respect to one or more insurance carriers for one or more of the defendants. The court cannot presently order, but nonetheless very strongly urges a representative with decision-making authority to attend on behalf of any insurance company with an acknowledged or potential obligation regarding this lawsuit, and to be prepared to meaningfully participate in the conference.

IT IS ORDERED that discovery is STAYED until **April 27, 2010**.

IT IS FURTHER ORDERED that counsel and party representatives with decision-making authority appear for a settlement conference on **April 27, 2010, at 2:00 p.m.**

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 19, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 19, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522